

REMARKS

Claims 1 through 5 were presented for examination and were rejected.

Claims 1 and 2 have been amended to more clearly articulate their scope and not in any way related to patentability.

Claims 6 through 19 have been added.

The support for claim 6 is found at page 2, lines 1 through 2.

The support for claim 7 is found at page 1, line 22 through page 2, line 1.

The support for claim 8 is found at page 10, lines 5 through 7, of the present specification.

The support for claim 9 is found at page 7, lines 8 through 17.

The support for claim 10 is found at page 2, lines 1 through 2.

The support for claim 11 is found at page 1, line 22 through page 2, line 1.

The support for claim 12 is found at page 12, lines 16 through 19.

The support for claim 13 is found at page 7, lines 8 through 17.

The support for claim 14 is found at page 2, lines 1 through 2.

The support for claim 15 is found at page 1, line 22 through page 2, line 1.

The support for claim 16 is found at page 10, lines 11 through 13.

The support for claim 17 is found at page 7, lines 8 through 17.

The support for claim 18 is found at page 2, lines 1 through 2.

The support for claim 19 is found at page 1, line 22 through page 2, line 1.

The applicants respectfully traverse the rejections and request reconsideration in light of the following comments.

35 U.S.C. 102 Rejection of Claims 1 and 3-5

Claims 1 and 3 through 5 were rejected under 35 U.S.C. 102(e) as being anticipated by G.R. Ash et al., U.S. Patent 6,778,535 B1, issued 17 August 2004 (hereinafter "Ash").

The applicants respectfully traverse the rejection.

Claim 1, as amended, recites:

1. (currently amended) A method comprising:

routing a set-up message to a plurality of nodes in at least one transport network, wherein said set-up message reserves network resources for a plurality of traffic paths through said transport network as said set-up message visits each of said plurality of nodes; and

routing said set-up message to said plurality of nodes in said transport network, wherein said set-up message provisions said reserved network resources for said plurality of traffic paths through said transport network as said set-up message revisits each of said plurality of nodes.

(emphasis supplied)

Nowhere does Ash teach or suggest, alone or in combination with the other references either (1) the reservation of the network resources prior to provisioning, or (2) the plurality of traffic paths. Each of these addresses concerns not addressed by the prior art.

First, although Ash checks each node to determine whether or not the necessary resources are available at the node prior to provisioning, Ash does not reserve those resources. The difference is significant because Ash does not prevent another process from grabbing those resources between the time Ash checks to see that they are there and the time that Ash actually provisions them. This is a problem with Ash's system.

Second, claim 1 recites that the set-up message reserves the resources for a plurality of traffic paths. This is a reflection of the "coherent" nature of the present invention, as mentioned in the Title and the second and third sentences of the Summary of the Invention. Ash does not teach or suggest the provisioning of multiple traffic paths at once, nor does it teach or suggest anything to do with coherent provisioning or the problem to be solved by coherent provisioning.

For this reason, the applicants respectfully submit that the rejection of claim 1 is traversed.

Because claims 3 through 5 depend on claim 1, the applicants respectfully submit that the rejection of them is also traversed.

New independent claims 8, 12, and 16 each recite (1) the reservation of the network resources prior to provisioning, and (2) the plurality of traffic paths, and, therefore, the applicants respectfully submit that they too are allowable in light of Ash.

35 U.S.C. 103 Rejection of Claim 2

Claims 2 was rejected under 35 U.S.C. 103(a) as being anticipated by G.R. Ash et al., U.S. Patent 6,778,535 B1, issued 17 August 2004 (hereinafter "Ash") in view of Office Notice. The applicants respectfully traverse the rejection.

The Office Notice states:

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a path in a Synchronous Optical Network to make the system more efficient and versatile. SONET is a high speed network that provides a standard interface for communications carriers based on fibre optic cables. Furthermore, SONET has the capability to transfer a plurality of data types over speeds up to 2.488 Gbps.

Regardless of whether or not it would have been obvious to one of ordinary skill in the art to use the present invention in a SONET network, the Official Notice fails to cure the deficiency of Ash with respect to claim 1. In other words, neither Ash nor the Office Notice teach or suggest either (1) the reservation of the network resources prior to provisioning, or (2) the plurality of traffic paths.

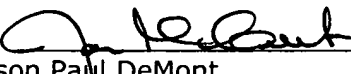
For this reason, the applicants respectfully submit that the rejection is traversed.

Request for Reconsideration Pursuant to 37 C.F.R. 1.111

Having responded to each and every ground for objection and rejection in the Office action mailed March 1, 2005, applicants request reconsideration of the instant application pursuant to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

Should there remain unresolved issues the applicants respectfully request that Examiner telephone the applicants' attorney at 732-578-0103 x11 so that those issues can be resolved as quickly as possible.

Respectfully,
DeMont & Breyer, LLC

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